

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

B. P. J., et al.,  
Plaintiffs,

v.

CIVIL ACTION NO. 2:21-cv-00316

WEST VIRGINIA STATE BOARD OF EDUCATION, et al.,

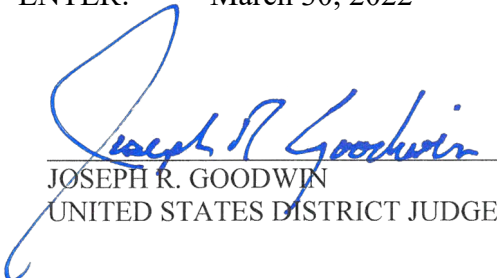
Defendants.

**ORDER**

Pending before this court is Plaintiff's Motion to Strike Jury Demand. [ECF No. 81]. Plaintiff, B.P.J., brings this action seeking a declaration that West Virginia's Protect Women's Sports Act ("H.B. 3293") violates rights guaranteed to her by Title IX of the Education Amendments of 1972 and by the Fourteenth Amendment to the United States Constitution, an injunction preventing the enforcement of that law, and nominal damages. Because actions for declaratory relief, injunctive relief, and nominal damages do not trigger the right to a jury trial, the motion is **GRANTED**. The court, however, reserves the right to empanel an advisory jury pursuant to Federal Rule of Civil Procedure 39(c)(1).

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: March 30, 2022



JOSEPH R. GOODWIN  
UNITED STATES DISTRICT JUDGE